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PTO/SB/21 (02-94)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/763,041	
	Filing Date	January 22, 2004	
	First Named Inventor	Graham Hawkes	
	Art Unit	3617	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	13	Attorney Docket Number	272-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Copy of each reference most closely related to claimed subject matter submitted with IDS on January 22, 2004, return postcard receipt.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KEUSEY, TUTUNJIAN & BITETTO, P.C.
Signature	
Date	May 26, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	John G. Tutunjian
Signature	
Date	May 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket #: 272-2

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Graham Hawkes

Serial No.: 10/763,041

Filed: January 22, 2004

For: A SUBMERSIBLE

Examiner: Unknown  
Group Art: 3617

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May 26, 2004  
(Date of Deposit)

John G. Tutunjian  
Name of applicant, assignee or Registered Representative

Signature

May 26, 2004  
Date of Signature

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL – ACCELERATED EXAMINATION**

Applicants hereby petition to make the above-identified application special for purposes of accelerated examination, pursuant to MPEP §708.02.

In support of this petition, applicant submits the following:

(1) A copy of the information disclosure statement (Form PTO/SB/08A) filed on January 22, 2004 with the application citing the results of a pre-examination search of patents and publications; and

(2) A check in the amount of \$130.00 for the fee required under 37 C.F.R. §1.17(i).

The field of the pre-examination search included:

Class 114, subclasses 312, 331, 334 and 336;

Class D12, subclass 308; and

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01 FC:1460

Class B63G, subclass 08/00

A copy of each of the references believed to be most closely related to the claimed subject matter discovered during that search have been submitted with the Information Disclosure Statement filed with the application.

A discussion of the references pointing out how the claimed subject matter is patentable over the references is included on a separate sheet with this petition.

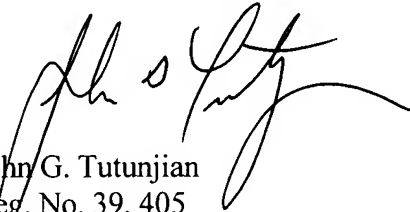
The office is hereby authorized to charge any additional fees which may be required in connection with this Petition and to credit any overpayment to our Deposit Account No. 50-1433.

If a telephone interview would advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Granting of this petition and prompt consideration and allowance of the application are respectfully requested.

Respectfully submitted,  
KEUSEY, TUTUNJIAN & BITETTO, P.C.

By



John G. Tutunjian  
Reg. No. 39, 405  
14 Vanderventer Avenue, Suite 128  
Port Washington, New York 11050  
(516) 883-3868

Dated: May 26, 2004

### **Discussion of References**

Innespace, Redding CA, [www.innespace.com](http://www.innespace.com). This Bionic Dolphin disclosure discloses a positively buoyant vessel that mimics the jumping of a dolphin.

Aquarius Subeo, Essex England, discloses negatively buoyant submersible that utilizes buoyancy tanks to maintain depth and control. Life support is provided to a main cabin.

About Subeo, Subeo Ltd., Essex England. The pitch of the craft is altered by a lead trim system which moves a weight forward and aft. Roll trim is provided by pumping water from side to side in the main spherical variable buoyancy tanks to either side of the vessel's center of gravity.

None of the references uncovered during the search disclosure or suggest the following claimed features of applicant's invention:

- 1) At least one pair of wings disposed on the hull, where the wings have control surfaces movable in opposite directions with respect to each other to provide the submersible with the ability to roll;
- 2) At least one pressure pod for accommodating at least one person in a recumbent sitting position;
- 3) The at least one pressure pod is maintained at a constant pressure, where the constant pressure provides the submersible with a positive buoyancy;
- 4) The at least one pressure pod is maintained at a constant pressure of 1.0 Atm.; and
- 5) A life support system connected to the at least one pressure pod for providing life support systems to the pressure pod only.

English language translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	
		Filing Date	
		First Named Inventor	Graham HAWKES
		Group Art Unit	
		Examiner Name	
		Attorney Docket Number	272-2
Sheet	3	of	3

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>2</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		MIKE OSBORNE, U-Plane- A Lost Opportunity, New Innovative Concept, Engineering Designer, July/August 2000, 4 pages	
		GEORGE KITTREDGE, Kittredge K-250 Conceptual Drawing, Internet: <a href="http://www.psubs.org/stor/subplans/kittredge/k250.html">www.psubs.org/stor/subplans/kittredge/k250.html</a> , 1 page	
		KENT MARKHAM, Do It Yourself Construction Plans, The Delta Wing Submarine, Internet: <a href="http://www.scubatow.com/flash/main.asp">www.scubatow.com/flash/main.asp</a> , 2 pages	
		KENT MARKHAM, Do It Yourself Construction Plans, The Silent Runner 2 (2 man sub), Internet: <a href="http://www.scubatow.com/flash/main.asp">www.scubatow.com/flash/main.asp</a> , 2 pages	
		Innespace, Redding CA, Internet: <a href="http://www.innespace.com">www.innespace.com</a> , 2 pages	
		Aquarius, Subco Ltd., Essex, England, Internet: <a href="http://www.subco.com/pdf/brochure_aqu.pdf">www.subco.com/pdf/brochure_aqu.pdf</a> , 2 pages	
		About Subco, Subco Ltd., Essex England, Internet: <a href="http://www.subco.com/inside.htm">www.subco.com/inside.htm</a> , 3 pages	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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